

1  
2  
3  
4  
5  
6  
7 LOUREECE STONE CLARK,  
8 Plaintiff,  
9 v.  
10 SOCIAL SECURITY ADMINISTRATION,  
et al.,  
11 Defendants.

Case No. [23-cv-00967-JSC](#)

**ORDER OF DISMISSAL**

**INTRODUCTION**

14 Plaintiff, a detainee at Napa State Hospital (“NSH”), filed this civil rights complaint under  
15 42 U.S.C. § 1983 against the Social Security Administration, the Marin County Sheriff’s  
16 Department, and the California Department of State Hospitals. (ECF No. 1 at 2-3.) Plaintiff filed  
17 12 cases in this court, including this one, in approximately six months.<sup>1</sup> He has been granted leave  
18 to proceed in forma pauperis in a separate order. For the reasons explained below, the complaint  
19 is DISMISSED. Plaintiff’s motions and other requests are also addressed below.

**STANDARD OF REVIEW**

21 Federal courts must engage in a preliminary screening of cases in which prisoners seek  
22 redress from a governmental entity or officer or employee of a governmental entity. 28 U.S.C. §  
23 1915A(a). The Court must identify cognizable claims or dismiss the complaint, or any portion of

24  
25 <sup>1</sup> See *Clark v. Goldstein, et al.*, No. C 22-2962 JSC; *Clark v. Bay City Auto, et al.*, No. C 22-4066  
26 JSC; *Clark v. Marin County District Attorney, et al.*, No. C 22-5557 JSC; *Clark v. Ahern, et al.*,  
27 No. C 22-6171 JSC; *Clark v. Board of Equalization*, No. C 22-6169 JSC; *Clark v. Supervisors for  
28 Marin County*, No. C 22-6173 JSC; *Clark v. Medical Board of California, et al.*, No. C 22-6174  
JSC; *Clark v. Commission on Judicial Performance, et al.*, No. C 22-6204 JSC; *Clark v. Alameda  
Cty. Dep’t. of Child Protected Services, et al.*, No. C 22-6172 JSC; *Clark v. Global Tel\*Link  
Corp., et al.*, No. C 22-6170 JSC; *Clark v. Marin County Sheriff’s Dep’t., et al.*, No. C 22-7295  
JSC.

1 the complaint, if the complaint “is frivolous, malicious, or fails to state a claim upon which relief  
2 may be granted,” or “seeks monetary relief from a defendant who is immune from such relief.” *Id.*  
3 § 1915A(b). Pleadings filed by parties who are not represented by an attorney must be liberally  
4 construed. *Balistreri v. Pacifica Police Dep’t*, 901 F.2d 696, 699 (9th Cir. 1990).

5 Federal Rule of Civil Procedure 8(a)(2) requires only “a short and plain statement of the  
6 claim showing that the pleader is entitled to relief.” “Specific facts are not necessary; the  
7 statement need only give the defendant fair notice of what the . . . claim is and the grounds upon  
8 which it rests.” *Erickson v. Pardus*, 127 S. Ct. 2197, 2200 (2007) (citations omitted). Although to  
9 state a claim a complaint “does not need detailed factual allegations, . . . a plaintiff’s obligation to  
10 provide the grounds of his entitle[ment] to relief requires more than labels and conclusions, and a  
11 formulaic recitation of the elements of a cause of action will not do. . . . Factual allegations must  
12 be enough to raise a right to relief above the speculative level.” *Bell Atlantic Corp. v. Twombly*,  
13 550 U.S. 544, 555 (2007) (citations omitted). A complaint must proffer “enough facts to state a  
14 claim for relief that is plausible on its face.” *Id.* at 570. To state a claim that is plausible on its  
15 face, a plaintiff must allege facts that “allow[] the court to draw the reasonable inference that the  
16 defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

17 To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two elements: (1) that a  
18 right secured by the Constitution or laws of the United States was violated, and (2) that the alleged  
19 violation was committed by a person acting under the color of state law. *West v. Atkins*, 487 U.S.  
20 42, 48 (1988).

## 21 DISCUSSION

22 The complaint sets forth the following claim:

23 [T]he defendant(s) willful failure, refusal of my just compensation  
24 of trust fund under the Fifth Amendment, move this court for this  
25 cause of action of the attached prima facie evidence of their bad  
26 faith by false identifiable titles of Nobility as bonded public servants  
27 own self profits and / or stock shareholders corporate profits as  
28 CONTRACTORS to restrain and monopolizing me of the benefits  
pursuant to the rules of commerce using the commercial Monetary  
Debit / Credit System in order to control our American Federal  
Gov’t Rights of Free and Just trade, invasion of privacy, deliberate  
indifference for failure to state a claim which relief can be granted.  
The violation of the American Disabilities Act, Administrative

1 Procedures Act, Negotiable Instruments Act, Privacy Act of 1974,  
2 1940 Fiduciary Duty and Obligations Act, and the Social Security  
3 Act unlawful private communications between each defendant(s)  
4 depriving my rights under color of law is abuse and are liable of the  
5 compelled benefit of any unrevealed contracts or commercial  
6 agreements and I am entitled to the interest, benefits and all money  
7 damages as my relief pursuant to the Civil Rights Act of 1964  
8 without due process of law as my right to life, liberty and pursuit of  
9 happiness.

10 (ECF No. 1 at 4.)

11 A claim that is totally incomprehensible is frivolous. *See Jackson v. Arizona*, 885 F.2d  
12 639, 641 (9th Cir. 1989); *cf. Neitzke v. Williams*, 490 U.S. 319, 327 (1989) (a claim is frivolous if  
13 it is premised on an indisputably meritless legal theory or is clearly lacking any factual basis).  
14 Plaintiff's claim is wholly incomprehensible. The Court cannot discern the meaning of a "trust  
15 fund under the Fifth Amendment," the "false identifiable titles of Nobility," "the rules of  
16 commerce using the commercial Monetary Debit / Credit System," or "deliberate indifference for  
17 failure to state a claim which relief can be granted" for example. (*Id.*) The complaint makes a  
18 conclusory allegation that defendants violated a host of federal laws. (*Id.*) He alleges that  
19 unspecified "unlawful private communications between each defendant(s)" violated his rights, but  
20 he does not specify what those communications concerned let alone explain how they violated any  
21 of the myriad federal laws he lists. (*Id.*) For these reasons, the Court finds the complaint  
22 incomprehensible (and therefore frivolous) and as such, moreover, the Court cannot discern any  
23 way for it to be cured by amendment. *See Janicki Logging Co. v. Mateer*, 42 F.3d 561, 566 (9th  
24 Cir. 1994) (leave need to amend need not be granted where it constitutes an exercise in futility).  
25 Accordingly, the case is dismissed without leave to amend.

26 //

27 //

28

## CONCLUSION

For the reasons explained above, this case is DISMISSED without leave to amend.

The Clerk shall enter judgment and close the file.

**IT IS SO ORDERED.**

Dated: April 27, 2023

Jacqueline Scott Corley  
JACQUELINE SCOTT CORLEY  
United States District Judge

United States District Court  
Northern District of California